

Aboo Az-Zaahidd Muhammadd Sarfarawz Khawn Sawfdar (R'A)

Excerpts

Translated by Saad Khan

(Mujallah al-Mustafa – Imam Ahl al-Sunnah Number, Bahawalpur)

'Allamah Sarfaraz Khan Safdar (may Allah have mercy on him) used to love his *akabir* deeply and used to trust their research fully. He would advise this to his people, and the same advice was printed at the card given at the time of *ba'yah* that read:

“Dear ones! I do not have an opinion in any matter, rather I trust the unanimous (*ijma'i*) research of the *akabir 'ulama* of Deoband in all matters of the Qur'an, Sunnah, Fiqh, History, etc, and I believe their unanimous teachings as true and follow them as source of guidance and deliverance for myself. Therefore, I advise all my students, *muridin* and those connected to me to strictly follow the *maslak* of the *akabir 'ulama* of Deoband and not to leave their path at any cost. One who sticks to the unanimous *maslak* of the *akabir 'ulama* of Deoband considering them in line with the Qur'an and Sunnah, he is from amongst my people, and one who does not trust the unanimous research of the *akabir*, he has no relation with me.”

In regard to making things *halal* (permitted) and *haram* (prohibited), it is the well-established belief of the Ahl al-Sunnah wa 'l-Jama'ah that Allah alone has authority over it. To make something *halal* or *haram* is exclusively the work of Allah Most High and He is unique in this. This is purely His right; no one else is involved in this process in any manner. Neither does anyone have this power in essence nor has Allah relegated this power to anyone.^[1]

Shaikh Kamal al-Deen ibn al-Humam al-Hanafi (d. 861H) writes: "There is no difference of opinion in that Allah Most High, the Lord of the Universe, is [solely] the Ruler." 'Allamah Muhibbullah Bihari al-Hanafi (d. 1119H) writes in his *Musallam al-Thubut*: "Judgment is only from Allah." The famous book of principles of fiqh, *Sharh al-Talwih 'ala 'l-Tawdih*^[2](p.35), contains more or less a similar statement. 'Allamah Ibn Amir Hajj (d. 879H) in *Tahrir al-Usul* (2:79) and 'Allamah Jamal al-Din Isnawi al-Shafi'i (d. 772H) in *Sharh Minhaj al-Usul* (p.22) have explained this issue in detail that legislation is only from Allah Most High.

As for the command of the Prophet (Allah bless him and give him peace), the Ahl al-Ijma' (jurists whose consensus is binding) and the *mujtahids*, it is only a manifestation of Allah Most High's command. The one who commands is only Allah Most High. 'Allamah Abu Ja'far al-Nahhas (d. 338H) writes in his well-known book, *Al-Nasikh wa 'l-Mansukh*: "This is the way of judgments that they are from Allah Almighty alone." (p.2)

Shah Waliullah Muhaddith al-Dahlawi (d. 1174H / may Allah have mercy on him) writes in his famous and unparalleled book *Hujjat Allah al-Balighah* [chapter 39 titled *The Categories of Shirk*]: "The secret behind this is that making something permitted (*halal*) or forbidden (*haram*) is an expression for a creative process (*takwin*) that is operative at the level of *Malakut* (Realm of Sovereignty) whereby one will or will not be held accountable for a certain thing. Thus this creative process (*takwin*) is the reason for a person being or not being held accountable for a thing, and this is part of the attribute of Allah Most High. As for the attribution of permitting (*tahlil*) or prohibiting (*tahrim*) to the Prophet (Allah bless him and give him peace), it is in the sense of his speech being a decisive sign (*imarah*) of Allah's permitting or forbidding. As for the attribution of them [permitting and forbidding] to the *mujtahids* of his community, this is in the sense of their transmitting element of the divine legislation based on the revealed text of the lawgiver, or their inferring the meaning of his words."^[3]

From the above statement of Shah Waliullah al-Dahlawi the following becomes evident:

[1] Rulings of Shari'ah are derived from matters related to *takwin*. *Takwin* is from the attributes of Allah Most High and there is no associate of Him in this, just like His other attributes.

[2] In matters of Shari'ah, the attribution of permitting and prohibiting to the Prophet (Allah bless him and give him peace) is in the sense that he is a messenger from Allah. The Prophet's conveying something as permitted or prohibited is a decisive sign that Allah Most High has deemed such a thing permitted or prohibited. This does not mean that the Prophet (Allah bless him and give him peace) has the authority to permit and prohibit.

[3] The attribution of permitting and prohibiting to *mujtahids* is in the sense ... that they infer rulings from the sources of the *Shari'ah*. The attribution of permitting and prohibiting to the *mujtahids* is not in the sense that they themselves can permit or prohibit something.

1. It is the belief of Twelver Shie'ahs that the Prophet (Allah bless him and give him peace) and the twelve *imams* have been given the authority to permit and prohibit. It is mentioned in *Usool al-Kafi*, ch.111, from Abu Ja'far "...O Muhammad, Allah Most High, is One eternally. He created Muhammad, 'Ali and Fatimah. They were there for a thousand years. Then He created all other things. He made them to witness the creation of all other things, made obedience to them obligatory and gave control of the affairs of the creation to them. They can, thus, make lawful whatever they wish and unlawful whatever they wish..."

It is also mentioned in *Usool al-Kafi*, ch.52, "Al-Husayn ibn Muhammad has narrated from Mu'ala ibn Muhammad from al-Washsha' from Hammad ibn 'Uthman from Zurarah from Abu Ja'far who has said the following, 'The Messenger of Allah sanctioned the compensation for a damaged eye and the blood-money for the slain person. He pronounced the consumption of *nabidh* (a beverage from dates) and all intoxicants as unlawful.' A man asked the *imam*, 'Did the Messenger of Allah sanction this law without receiving any thing (from Allah)?'

The Imam said, 'Yes, so it could be found out who obeys the Messenger and who disobeys him.'

Molwi Ahmad Rada Khan Barelwi and his followers agree with Twelver Shi'ahs in this regard. Molwi Amjad 'Ali A'zimi, the deputy (*khalifah*) of Ahmad Rada Khan Barelwi, writes in *Bahar-i-Shari'ah* (1:30-31), a book of *Fiqqh* for the general public:

"Our Master, the Prophet (Allah bless him and give him peace), is the absolute deputy of Allah Almighty. He has been given control (*tassaruf*) over the entire universe. He may do, as he desires. Give to whomsoever he wishes. Take away from anyone whatever he desires. None in the universe can deny his rulings. The entire universe is under his governance and he is under the authority of none except Allah. He is the owner (*malik*) of all humans. Anyone who does not accept him to be his owner (*malik*) remains devoid of the sweetness of the Sunnah. All the earth is his property. Paradise is his estate. The angels of earth and the sky are under his authority. The keys to paradise and hell have been given to him in his noble hand. Sustenance, goodness and other types of blessings are distributed from his noble office. This world and the hereafter is a portion of his blessings. The rulings of *Shari'ah* have been delegated to his authority. He may make impermissible (*haram*) for anyone whatever he decides. Similarly, he may make permissible (*halal*) whatever he wishes and exempt whatever obligation (*fard*) he desires."

2. By 'Allamah Sa'd ud-Deen Mas'ud al-Taftazani (d. 792H).
3. Quote taken with permission from the English translation of *Hujjat Allah al-Balighah* by Marica K.Hermansen.